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6 **UNITED STATES BANKRUPTCY COURT**
7 **WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

8 IN RE

Case No. 18-12299-CMA

9
10 JASON L. WOEHLE, R

RESPONSE TO DEBTOR'S REQUEST FOR
ESTIMATION OF CLAIMS

11 Debtor.
12

13 Comes now creditor Russell Brandt ("Brandt") and responds to Debtor's Motion for
14 Estimation of Claims as follows:

15 I. REQUEST FOR JUDICIAL NOTICE
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17 Attached hereto are court records on file in the matter of *Russell Brandt v. Columbia*
18 *Credit Services, Inc., et al*, No. 2:17-cv-703-RSM ("2:17-cv-703-RSM") including a minute
19 entry from the District Court regarding the jury verdict and remaining issues. Brandt requests
20 the Court take judicial notice of these documents as their accuracy cannot reasonably be
21 disputed and they are readily available from a public source, ECF.
22

23 II. RESPONSE

24 Creditor Russell Brandt's claim filed in this matter relates to his collection abuse claims
25 under the Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.) and Washington's
26 Consumer Protection Act (RCW 19.86 et seq.) brought in 2:17-cv-703-RSM. This Court
27 granted relief from stay so that that action could proceed to trial. Trial was held on September
28

RESPONSE TO DEBTOR'S REQUEST FOR
ESTIMATION OF CLAIMS

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Case 18-12299-CMA

Doc 60

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1 17th and 18th. The jury returned a verdict in favor of Mr. Brant in the amount of \$161,752.00,
2 exclusive of attorneys' fees, statutory damages of \$1,000.00 under the FDCPA and trebling of
3 economic damages up to \$25,000.00 under the WCPA. *See* Exhibit 1 attached. Brandt will be
4 submitting a motion for fees and expect an order of the remaining damages shortly. Brandt's
5 damages will far exceed Debtor's estimate of \$100,000.00.
6

7 Brandt requests that the Court deny Debtor's request to estimate damages at this time
8 and wait for an order from Chief Judge Ricardo Martinez to properly establish the amount of
9 Brandt's claim. Should this Court wish to estimate Brandt's claim for the purpose of evaluating
10 Debtor's plan, Brandt request that his claim be estimated at no less than \$375,000.00 inclusive
11 of all allowable fees, costs and awards.
12

13
14 Respectfully Submitted this 20th day of September, 2018.

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